

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Alan and Lisa Carpenter

Case No.: 14-18859
Judge: JNP
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- ☐ Original ☒ Modified/Notice Required ☒ Discharge Sought
☒ Motions Included ☐ Modified/No Notice Required ☐ No Discharge Sought

Date: 1/25/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 450.00 per month to the Chapter 13 Trustee, starting on February 1, 2017 for approximately 28 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Seymour Wasserstrum, Esq.	Legal fees	\$3,081.00 (+\$800 in supplemental fees upon Court approval)
Irs	Taxes	\$0.00
State of New Jersey	State Taxes	\$0.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Gm Financial	2009 VW Routan	\$14,061.00	\$8,000.00	none	\$8,000.00	5%	\$15,921.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Bank of America - 124 New St, Maurice River Township, NJ 08327 - Arrears were cured in a loan modification
Wells Fargo Dealer Services

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than 100 percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
US Dept	Student Loan - To be dealt with outside	To be dealt with outside	\$0.00

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Gm Financial	2009 VW Routan	\$15,921.00	\$3,709.20

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 1/25/2017.

Explain below **why** the plan is being modified:

To list Bank of America as unaffected by the plan because the arrears were cured in a loan modification

Explain below **how** the plan is being modified:

To list Bank of America as unaffected by the plan because the arrears were cured in a loan modification

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 1/25/2017

/s/ Seymour Wasserstrum
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 1/25/2017

/s/ Alan Carpenter
Debtor

Date: 1/25/2017

/s/ Lisa Carpenter
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Alan L Carpenter
 Lisa M Carpenter
 Debtors

Case No. 14-18859-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

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 Total Noticed: 29

Date Rcvd: Jan 26, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 28, 2017.

db/jdb +Alan L Carpenter, Lisa M Carpenter, PO Box 493, Leesburg, NJ 08327-0493
 cr +Americredit Financial Services, Inc., dba GM Finan, PO Box 183853, Arlington, TX 76096-3853
 cr +Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer S, 1451 Thomas Langston Road,
 Winterville, NC 28590-8872
 514825675 +ALTAIR OH XIII, LLC, C O WEINSTEIN, PINSON, AND RILEY, PS, 2001 WESTERN AVENUE, STE 400,
 SEATTLE, WA 98121-3132
 514777311 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., PO Box 183853,
 Arlington, TX 76096)
 514843747 +AmeriCredit Financial Services, Inc., Morton & Craig, LLC, 110 Marter Avenue, Suite 301,
 Moorestown, NJ 08057-3125
 514775843 +AmeriCredit Financial Services, Inc. dba GM Finan, P O Box 183853,
 Arlington, TX 76096-3853
 514760271 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, 4161 Piedmont Pkwy, Greensboro, NC 27410)
 514760272 +Capital One, P.O. Box 30281, Salt Lake City, UT 84130-0281
 514760273 +Credit Control Llc, P.O. Box 31179, Tampa, FL 33631-3179
 514760275 +Gm Financial, P.O. Box 181145, Arlington, TX 76096-1145
 514760276 +Home Depot, P.O. Box 6497, Sioux Falls, SD 57117-6497
 515279773 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage, LLC, 350 Highland Drive,
 Lewisville, TX 75067, Nationstar Mortgage, LLC, 350 Highland Drive,
 Lewisville, TX 75067)
 514760281 +NJ Office Of The Attorney General, Richard J. Hughes Justice Complex,
 25 Market St P.O. Box 112, Trenton, NJ 08625-0112
 514760284 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State Of New Jersey, Division Of Taxation, P.O. Box 245,
 Trenton, NJ 08695)
 514933928 +THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YO, P.O. BOX 660933, DALLAS TX 75266-0933
 514835341 Wells Fargo Bank, N.A., P.O. Box 19657, Irvine, CA 92623-9657
 514760286 +Wells Fargo Dealer Services, P.O. Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 26 2017 19:46:34 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jan 26 2017 19:46:33 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 514934914 +E-mail/Text: bky@martonelaw.com Jan 26 2017 19:45:51 Frank J Martone P.C.,
 1455 Broad Street, Bloomfield, NJ 07003-3068
 514760279 +E-mail/Text: cio.bncmail@irs.gov Jan 26 2017 19:46:10 Irs, 1601 Market St,
 Philadelphia, PA 19103-2301
 514760282 +E-mail/PDF: cbp@onemainfinancial.com Jan 26 2017 20:40:35 One Main Financial,
 P.O. Box 70918, Charlotte, NJ 28272-0918
 514989354 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 26 2017 20:12:36
 Portfolio Recovery Associates, LLC, c/o Wal-mart, POB 41067, Norfolk VA 23541
 515014288 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 26 2017 20:01:08
 Portfolio Recovery Associates, LLC, c/o Best Buy, POB 41067, Norfolk VA 23541
 514760283 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 26 2017 20:12:36
 Portfolio Recovery Llc, 120 Corporate Blvd, Norfolk, VA 23502-4952
 514963952 E-mail/Text: bnc-quantum@quantum3group.com Jan 26 2017 19:46:27
 Quantum3 Group LLC as agent for, Galaxy Asset Purchasing LLC, PO Box 788,
 Kirkland, WA 98083-0788
 514970545 +E-mail/Text: electronicbkydocs@nelnet.net Jan 26 2017 19:46:39 U.S. Department of Education,
 C/O Nelnet, 3015 South Parker Road, Suite 400, Aurora, CO 80014-2904
 514760285 +E-mail/PDF: gecsed@recoverycorp.com Jan 26 2017 19:43:02 Walmart, P.O. Box 965024,
 Orlando, FL 32896-5024

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YO
 aty* +Frank J. Martone, P.C., 1455 Broad Street, Bloomfield, NJ 07003-3068
 514843748* ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., dba GM Financial,
 4000 Embarcadero Dr., Arlington, Texas 76014)
 514760278* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
 PHILADELPHIA PA 19101-7346
 (address filed with court: Irs, P.O. Box 724, Springfield, NJ 07081)
 514760280* Irs, Special Procedure Branch, P.O. Box 744, Springfield, NJ 07081
 514760277* +Irs, P.O. Box 7346, Philadelphia, PA 19101-7346
 515279772* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage, LLC, PO Box 619096, Dallas, TX 75261-9741)

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 29

Date Rcvd: Jan 26, 2017

514760274 ##+Global Credit & Collections Corp, 2699 Lee Rd Suite 330, Winter Park, FL 32789-1740
TOTALS: 1, * 6, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 28, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on January 25, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor The Bank of New York Mellon fka The Bank of New York,
as Trustee for the Certificateholders of CWBBS Inc., CWBBS Reperforming Loan Remic Trust,
Certificates, Series 2005-R1 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Charles G. Wohlrab on behalf of Creditor NATIONSTAR MORTGAGE, LLC cwohrlab@logs.com,
njbankruptcynotifications@logs.com
Donna L. Wenzel on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com
Frank J. Martone on behalf of Attorney Frank J. Martone, P.C. bky@martonelaw.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer
Services; successor by merger to Wells Fargo Dealer Services, Inc., f/k/a Wachovia Dealer
Services, Inc. mortonlaw.bccraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., dba GM
Financial mortonlaw.bccraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com
Nicholas S. Herron on behalf of Plaintiff Lisa Carpenter nicholas.s.herron@gmail.com,
gl7172@notify.cincompass.com, ajohn880@gmail.com
Nicholas S. Herron on behalf of Plaintiff Alan Carpenter nicholas.s.herron@gmail.com,
gl7172@notify.cincompass.com, ajohn880@gmail.com
Seymour Wasserstrum on behalf of Joint Debtor Lisa M Carpenter mylawyer7@aol.com,
ecf@seymourlaw.net
Seymour Wasserstrum on behalf of Debtor Alan L Carpenter mylawyer7@aol.com, ecf@seymourlaw.net
Warren S. Jones, Jr. on behalf of Creditor NATIONSTAR MORTGAGE, LLC wsjonesesq@verizon.net,
bestcaseswj@gmail.com

TOTAL: 13